

AN ORDINANCE 2006 - 01 - 12 - 64

AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SAN ANTONIO BY AMENDING CHAPTER 35, UNIFIED DEVELOPMENT CODE, SECTION 35-304, OF THE CITY CODE OF SAN ANTONIO, TEXAS BY CHANGING THE ZONING DISTRICT BOUNDARY OF CERTAIN PROPERTY.

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WHEREAS, a public hearing was held regarding this amendment to the Official Zoning Map at which time parties in interest and citizens were given an opportunity to be heard; and

WHEREAS, the Zoning Commission has submitted a final report to the City Council regarding this amendment to the Official Zoning Map of the City of San Antonio; **NOW THEREFORE**,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. Chapter 35, Unified Development Code, Section 35-304, Official Zoning Map, of the City Code of San Antonio, Texas is amended by changing the zoning district boundary of Lot 15, Lot 16, Lot 17, and Lot 18, Block 1, NCB 2446 from "R-4" Residential Single Family District to "R-4" (CD-Non-Commercial Parking Lot) Residential Single Family District with a Conditional use for a Non-Commercial Parking Lot.

SECTION 2. The City Council finds as follows:

- A. The conditional use will not be contrary to the public interest.
- B. The conditional use will not substantially nor permanently injure the appropriate use of adjacent conforming property in the same district.
- C. The conditional use will be in harmony with the spirit and purpose for conditional uses as set forth in Section 35-422, Conditional Zoning, of the Unified Development Code.
- D. The conditional use will not substantially weaken the general purposes of the regulations as set forth in Section 35-422, Conditional Zoning, of the Unified Development Code.
- E. The conditional use will not affect adversely the public health, safety and welfare.

SECTION 3. The City Council finds that the following conditions shall be met to insure compatibility with the surrounding properties:

- 1. Lighting shall be directed away from adjacent properties using 90 degree cutoff fixtures
- 2. No ingress or egress to Montezuma.
- 3. Type "B" Landscape buffers shall be required on the sides abutting Lot 14 and Tract A .

SECTION 4. All other provisions of Chapter 35 except those expressly amended by this ordinance shall remain in full force and effect including the penalties for violations as made and provided for in Section 35-491.

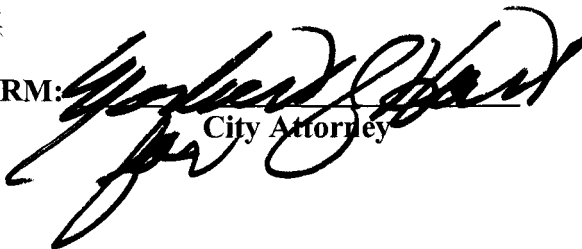
SECTION 5. The Director of Development Services shall change the zoning records and maps in accordance with this ordinance and the same shall be available and open to the public for inspection.

SECTION 6. This ordinance shall become effective immediately upon passage if passed by eight or more votes otherwise this ordinance shall become effective January 22, 2006.

PASSED AND APPROVED this 12th day of January, 2006.


M A Y O R

ATTEST: 
City Clerk

APPROVED AS TO FORM: 
City Attorney

CASE NO: Z2005270 CD

Staff and Zoning Commission Recommendation - City Council

Zoning Commission continuance from December 6, 2005 to consider conditional zoning

Date: January 12, 2006

Zoning Commission Meeting Date: December 20, 2005

Council District: 5

Ferguson Map: 616 A6

Applicant:

Sandra Gonzalez

Owner

Sandra Gonzalez

Zoning Request:

From "R-4" Residential Single Family District to "R-4" (CD-Commerical Parking Lot) Residential Single Family District with a Conditional use for a Commercial Parking Lot

Lots 15 through 18, Block 1, NCB 2446

Property Location:

2116 Guadalupe Street and 923, 915 Montezuma

South east of South Chupaderas and Guadalupe Street

Proposal:

To be utilized for a parking lot

Neighborhood Association:

Avenida Guadalupe Neighborhood Association

Neighborhood Plan:

None

TIA Statement:

A Traffic Impact Analysis is not required

Staff Recommendation:

Approval of "R-4" (CD-Commerical Parking Lot) Residential Single-Family District with a Conditional use for a Commercial Parking Lot. The requested rezoning is for properties that are contiguous to "C-2" zoning, which face Guadalupe Street. The intended use for the request is to construct a parking lot for a business. "C-2" zoning is to the north and "R-4" zoning surrounds the rest of the property. The parking lot will be accessed from Guadalupe Street.

Staff recommends the following conditions:

1. Lighting shall be directed away from adjacent properties using 90 degree cutoff fixtures
2. No ingress or egress to Montezuma.
3. Type "B" Landscape buffers shall be required on the sides abutting lots 14 and Tract A.

Zoning Commission Recommendation

Approval with conditions: 1. Lighting shall be directed away from adjacent properties using 90 degree cutoff fixtures. 2. No ingress or egress to Montezuma. 3. Type "B" Landscape buffers shall be required on the sides abutting lots 14 and Tract A.

CASE MANAGER : Richard Ramirez 207-5018

VOTE

FOR	8
AGAINST	0
ABSTAIN	0
RECUSAL	0

Z2005270 CD

ZONING CASE NO. Z2005270 – December 6, 2005

Applicant: Sandra Gonzalez

Zoning Request: "R-4" Residential Single-Family District to "O-1" Office District.

Sandra Gonzalez, 214 Medical Blvd., owner, stated that the property will be utilized for a parking lot for a restaurant.

Staff stated there were 47 notices mailed out to the surrounding property owners, 0 returned in opposition and 0 returned in favor and no response from the Avenida Guadalupe Neighborhood Association.

Everyone present, for and against having been heard and the results of the written notices having been received, the Chairman declared the public hearing closed.

COMMISSION ACTION

The motion was made by Commissioner Rodriguez and seconded by Commissioner Sherrill to recommend approval of "R-4 C" (Conditional use for a Commercial Parking Lot) per staff recommendation.

1. Property is located on Lots 15 through 18, Block 1, NCB 2446 at 2116 Guadalupe.
2. There were 47 notices mailed, 0 returned in opposition and 0 in favor.
3. Staff recommends denial of "O-1" Office District and approval of "R-4 C" (Conditional use for a commercial parking lot).

AYES: Martinez, Robbins, Rodriguez, Farias, Marshall, Sherrill, McAden, Stribling, Gray

NAYS: None

THE MOTION CARRIED

ZONING CASE NO. Z2005270 CD – December 20, 2005

Applicant: Sandra Gonzalez

Zoning Request: "R-4" Residential Single-Family District to "R-4" (CD-Commercial Parking Lot) Residential Single Family District with a Conditional use for a Commercial Parking Lot.

Sandra Gonzalez, 214 Medical Blvd., owner, stated that the property will be utilized for a parking lot for a restaurant.

Z2005270 CD

Staff stated there were 47 notices mailed out to the surrounding property owners, 0 returned in opposition and 0 returned in favor and no response from the Avenida Guadalupe Neighborhood Association.

Everyone present, for and against having been heard and the results of the written notices having been received, the Chairman declared the public hearing closed.

COMMISSION ACTION

The motion was made by Commissioner Rodriguez and seconded by Commissioner Avila to recommend approval of "R-4 C" (Conditional use for a Commercial Parking Lot) with the following conditions:

1. Lighting shall be directed away from adjacent properties using 90 degree cutoff fixtures.
 2. No ingress or egress to Montezuma.
 3. Type "B" Landscape buffers shall be required on the sides abutting lots 14 and Tract A.
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1. Property is located on Lots 15 through 18, Block 1, NCB 2446 at 2116 Guadalupe.
 2. There were 47 notices mailed, 0 returned in opposition and 0 in favor.
 3. Staff recommends denial of "O-1" Office District and approval of "R-4 C" (Conditional use for a commercial parking lot).

AYES: Martinez, Robbins, Rodriguez, Marshall, Sherrill, McAden, Stribling, Gray
NAYS: None

THE MOTION CARRIED

RESULTS OF NOTICE FOR COUNCIL HEARING

To be provided at Council hearing.